G. R. S. 59] (70) GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

191 .

(Police)

File No. 54-02

Serial Nos. 1— 4

B

~~Papers~~ Filed.

Month October 1902

SUBJECT.

Complaint and Transfer of C. Knight
Head Quarter Inspector Chitaldrug

PREVIOUS REFERENCES.	LATER REFERENCES.
	Police 61—03.
	Corr

OFFICE OF THE DEWAN OF MYSORE

SECRETARIAT ~~REVENUE AND GENERAL~~ Police DEPARTMENTS.

FILE No. 54-02

Short Office Note.

SERIAL No.

* No. and date of letter, from whom, catch words to denote nature of Subject should be stated, in red ink.

One form may be used for more than one letter of the same file as long as there is space. The Office Note should be in black ink. Write only on side of this form.

***Subject**

Letter No. 1254/97 dated 24th September 1902 from the Inspector General of Police reporting upon the Petition of Head Quarter Inspector C. Krishna Rao of the Chitaldrug District Complaining that he has been unjustly ordered to take charge of a Taluk as Police Inspector and that he was not given an Amildari though he was recommended for it.

Note

C. Krishna Rao, Head Quarter Inspector, Chitaldrug District (on leave) submitted a petition (Regd No 547 of 23-8-02) to the Private Secretary to H.H. the Maharaja, stating that he has been a Police Inspector for the last 28 years, that he has acted 5 times as Amildar and that he has been unjustly ordered to be in charge of a Taluk as Inspector, on the ground that he was unfit for a Head Quarter Inspectors place, and praying that justice may be done to him.

The above petition was

~~was~~ forwarded

to the Dewan for disposal by the Private Secretary to H. H. The Dewan's order on the petition is as follows:— —

"Get a full report about this man from I. G. of Police."
(Sd) P. N. K. 22-VIII-02

As directed above, the Inspector General was asked to submit a full report about C. Krishna Rao, and he now submits a detailed memo showing the circumstances connected with his case. He states that according to his own admission, Inspecting Krishna Rao is 54 years of age and has put in 32 years of Service & that since he has not completed the 55th year of his age, it is out of question to compulsorily retire him. The Inspector General further states that as regards the Inspectors' capability to fill an Amildar's post with credit, he is unable to venture any opinion as it is some years since he had any experience of his work. He adds that he would however give him a trial by transferring him

ing to Tunkur in his present capacity, and that if he is willing to join that District, or if after joining it, he fails to give satisfaction, the only course left is to reduce him, if he does not choose to retire. The Inspector General further states that "under these circumstances, he cannot in his humble opinion, expect a more lenient treatment."

Submitted for orders.

4/10/02

4.10.02

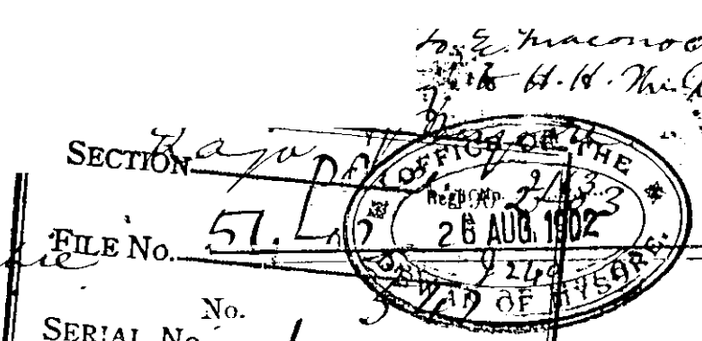
The memo shows that till Krishna Rau was found fault with for disobedience in bhutan duty, he bore excellent character and was often recommended for preferment. The Inspector-General does not say anything about the merits

of the case but recommends his retirement. As however he states that Krishna Rao will be sent as Asst. Dy. Supdt. of Tumkur, it may perhaps be concluded that he is satisfied that there is nothing wrong. A draft order approving of the Proposal with a remark is submitted for approval

The Dewan.

12/10/1902

R. Narayan
13 Oct. 02
6593
Send back this
draft with
order
Papers may be sent to
Cantt.



SECTION Kayal

FILE No. 57. L

No.

SERIAL No. 1

Name of Petitioner C. Krishna Rao

Village Head Quarters Inspr Chitaldroog Dist.

Taluk Davangere

District Chitaldroog

Date of Arzi 16-8-02

Date of Receipt 23-8-02

Date of Disposal

No. of Enclosure

ABSTRACT

States that he was recommended by ~~the~~ for an Amildari the present Dewan denied out of ill-will (as Inspr. says) towards Petr.; that he was done injustice and his promotion checked; that he is much afraid that he may meet with

MGCPB—4,000—31-1-02

Copies
to 'D' E. Macnaghten Esq.
to H. H. The Resident

Report
of 'D' E. Macnaghten

Collect a full report about this man from Inspector General of Police"

LD. P.N.K.
22-8-02

Early

LD H.V.M.
23-8-02

Register & transfer to Original Branch."

"LD" V.K.J.
23/8/02

to the results:

He prays for enquiry and for justice being done to him

Enclosures.

1 A letter from Lt: J. M. Fraser to Mr Petrie. dated 22-7-02

Petn. subd. to Hon. Lt. Col. Fraser Tutor & Governor to H. H. the Maha Raja. dated 15/7/02

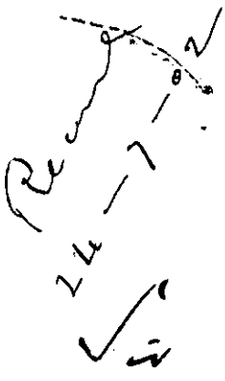
Papers relating to the case of Mr Petrie. Pages 1–15. (Printed)

Petn. subd. by Mr Petrie to the Dy. Comm. Chitaldroog dated 24-11-01 (printed)

1 The same in Kanada.

1 Do. subd to the Dewan dated 15-4-02

1 Order to Mr Petrie from the Dy. Comm and the Kanada records connected with it. (Sheets 14).



July 22nd 1902

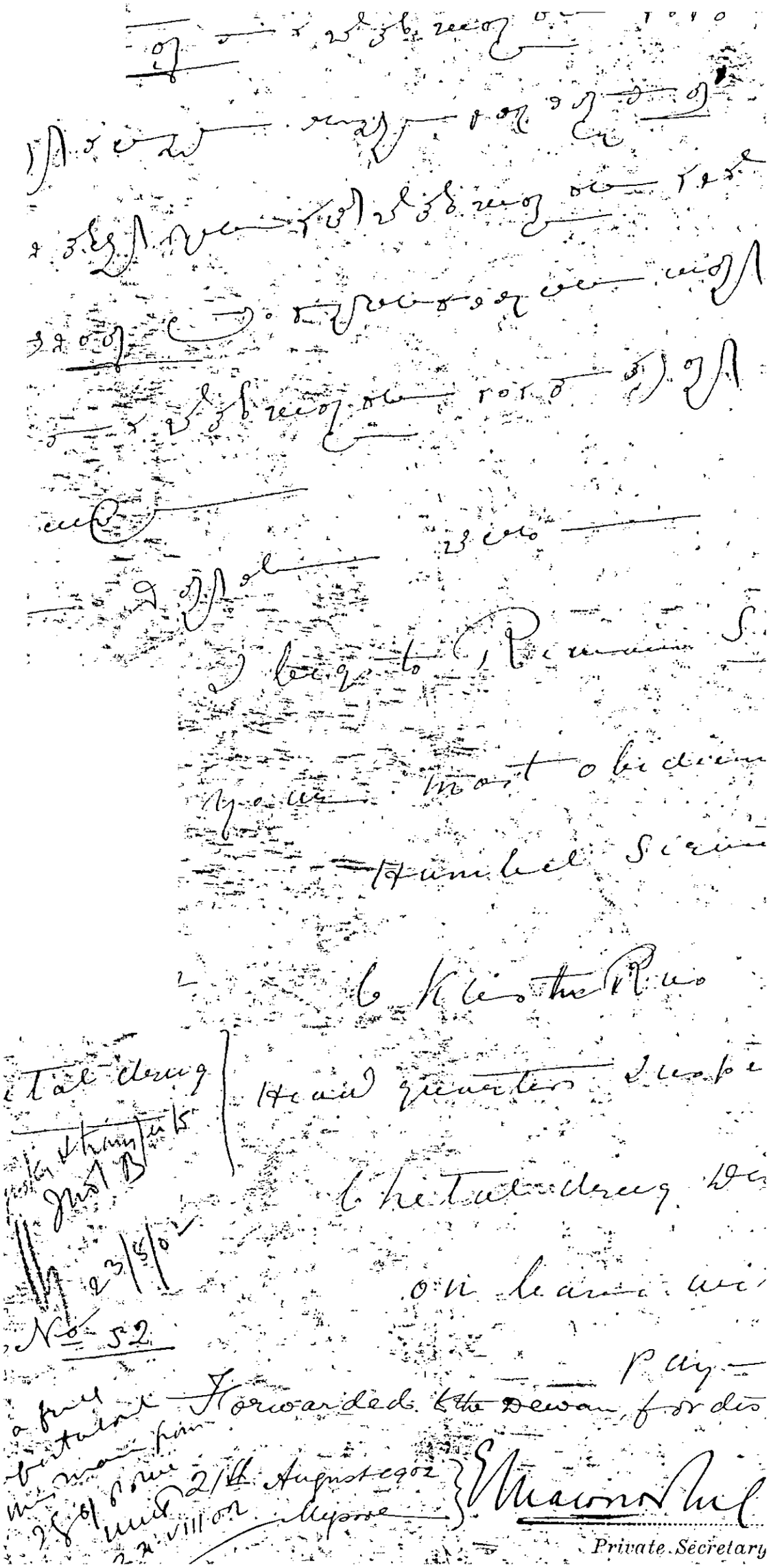
Yours

3

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG. NO. 547R
DATE 23-8-02

Mr. Mohamed Sahib &c.

Petition of Mysore



Private Secretary

S M. Tirano Sahib Imp
Tutor and Governor the
Princess Mehal Rajkumari
Minor and Successor
Regent Minor
Appeal

Bengal

Proceedings

No 1921

PAPERS RELATING TO THE CASE OF C. KRISHNA RAO, HEADQUARTER INSPECTOR, CHITALDROOG.

Chitaldroog Police Office.

Order to Mr. C. Krishna Rao, Headquarter Inspector.

Adverting to Docket No. 209, dated 14th December 1901, give your explanation to the following queries:—

(1) In order No. Nil, dated 24th October 1901, issued to you by the Assistant Superintendent of Police, it is stated that Murgi Swamy is prohibited from visiting Chitaldroog and that you should pay personal attention to this, if need be seeking instructions from Mr. Darashaw. What is the reason for your writing on your own responsibility a *yadi* to the Amildar of Chitaldroog Taluk in the face of the above instruction to the contrary to take action under Section 144 of the Code of Criminal Procedure?

(2) Being directed by the Assistant Superintendent of Police in his Confidential Memo, to proceed to Jammapur in the Jagalur Taluk and to examine the complainant and for conducting the prosecution in the case to make some confidential enquiries, you have failed to examine the complainant and to submit a report with regard to the said case. On 27th October 1901, the Assistant Superintendent of Police has clearly ordered in your diary of the 24th idem, submitted at the time of occurrence of facts mentioned in the first query, that you should not in such a case correspond with the Taluk Amildar; and why did you refer, contrary to the above order, Jammapur petition to the Amildar of Jagalur Taluk?

(3) You were not directed by any to investigate the Jagalur assault case (I.P.C. 353). You did not submit any special diaries in accordance with law; and you did not give instructions; but you returned to the Assistant Superintendent of Police about twice for other reasons, his order requiring you to conduct prosecution in the above case, and you have failed to obey his written and telegraphic orders to go to Davengere, stating some excuses not consistent with law.

(4) On your way back to Jagalur at Bastihalli you learnt about the issue of an order to you from the Assistant Superintendent of Police requiring you to go to Basavanasivanakere in connection with a culpable homicide case; you did not go there but returned to Chitaldroog and at your own leisure went to Basavanasivanakere. What is the reason for all this?

(5) Explain why you did not go to Vijapur and enter into the investigation of the Basavanasivanakere case as directed by the Assistant Superintendent of Police in his order dated 19th November 1901.

(6) Explain how, when you went to Jagalur and Basavanasivanakere on duty, you took with you, in the absence of orders of the Assistant Superintendent of Police and contrary to discipline, two Police constables Somanarasappa and Swami Rao who were undergoing training in the District School.

(Signed) C. NARAYANA RAO,
9th January, 1902. *Asst. Supdt. of Police.*

SUBMITTED.

Answer to query I.

The order sent to me under this head directs me—

1. To see that the people coming to Jatra from infected area do not come in contact with the people of this place and to seek for necessary instructions in the matter from Mr. Darashaw.

2. To see that no disturbance takes place during the Sadrú procession in the Mutt.

3. To see to the alleged prohibition of Murgi Swami's entry into this town.

The order mentions these three items. Forthwith I went to Murgi Mutt and made necessary arrangements regarding the 1st and 2nd items. Both went off well.

3rd item.—It was said that non-Brahmins were talking of Sowcar Kadappa inviting the Murgi Swami to dinner to his house (in the town) and of the Brahmins answering this by acts offensive to the Lingayet caste with a view to disgrace them. This rumour was loud in the town.

While such being the case, had the Swami entered the town and matters took the course as apprehended above, there would have been danger to life and I would have been too late

and powerless to avert it. Fearing that I would be held responsible for such negligence, I requested the Amildar, the local officer, to issue a notice under Section 144, C. P. Code to the Swamy, requiring him to obtain previous permission for entry into the town. During the absence of the Police Assistant and the Deputy Commissioner from the town, if such a disturbance were apprehended, the usual procedure for me in the interests of public good is to issue necessary orders to the Amildar on behalf of my officer. The order under question did not prohibit my present line of conduct. Hitherto I did not think my procedure wrong.

Answer to query II.

I quote below the order directing me to go to Jagalur and then answer the points referred to in it.—

"*CONFIDENTIAL.*

"Affairs at Jagalur are very bad. It is a matter for regret to see what has happened from the time of the first information report till now. The enclosed petition is sent to you for information. Go to Jagalur for a day and enquire privately, first about the procession case, and secondly, about this petition. In the house-breaking case (referred to in the petition) the petitioner says he has facts to disclose confidentially. I desire you to enquire into the matter and arrange for its detection. The facts in the Jagalur case should necessarily and previously be ascertained for conducting prosecution. This business might occupy three days and you have to go there specially for this.

"(Sd.) C. NARAINRAO,
"*Assistant Supdt. of Police.*"

In pursuance of this oder I went to Jagalur on 3-11-1901. The 4th, the 5th and the 6th were occupied in studying the records of the procession case and in the enquiry of the persons concerned. Meanwhile Jammapur Patel met me at Jagalur. I enquired him. He told me that there were some suspicious characters who, if threatened by the Police, would disclose facts and that the Taluk Inspector would not do it. This was all the confidential communication. To act accordingly there were not sufficient grounds. On perusing the records, I doubted the very facts of the complaint and told the petitioner that the Amildar would give all necessary help in the case. Then I handed over the petition to the Amildar in-

forming him of the above circumstances and returned. This is all that has happened. I have nothing more to add.

Answer to query III.

I have quoted the order directing me to go to Jagalur in the reply to query 2.

When I went to Jagalur I found the Lingayet God, the broken Nundi Dhwaja, the Makarathorana and the palanquin lying on the road, just in the same condition as they had been left there on the night of 22nd October 1901. This was disagreeable to the large Lingayet community in the District. Both on this account and on account of the intimation contained in the order given to me directing me to attend to the above early, I went over the police records up to that date, enquired the Lingayets and made a report of the same. After the arrival of Mr. Krishna Sing I conferred with him on the matter, and both of us got the things that were lying on the road removed, assuring the Lingayet people that their case would be justly considered. On the same date, Amildar, Mr. Krishna Sing, wrote to your *Janab* requesting you to put a stop to further proceedings in the case.

Details of the Case (as found in the special diaries) :—

These diaries not being with me I reproduce the facts from memory as I have studied them carefully.

COMPLAINANT—Sowars
ACCUSED—11 Lingayet persons
OFFENCE.—Section 353 I. P. C.

Summary of the special diaries :—

On the 22nd October 1901, we, the Brahmins, took the Ramotsawam to the Banni tree and were returning from thence after Puja. Patel Shankappa who was with us till then left us for the village. By the time we reached the Madigar street, the Lingayets approached us from the opposite direction with their Basavanna procession. Cloth merchant Nagoji Rao remarked then that as the Lingayet procession was preceded by the holiar trumpeters, Ramadevaru would get polluted if the Gods were to meet. Inspector Balaji Rao went in advance towards the Lingayet procession. Nagoji Rao and Vysiar Subbanna followed suit. As the Lingayets refused to allow us a passage, the Inspector placed the Sowars and the Police across the road to

check their advance. Confusion followed. The Jamadar, Khan Ahmed, conducted the Ramotsavam party to Ramadevaru temple. Meanwhile one of the Lingayets broke a sowar's lance by dropping the Nandi Dhwaja while another flung the Makarathorana round the sowar and pulled him down. That Patel Shankappa was with the Lingayets at that time, is what the Police record.

Summary of the Lingayet version —

"It was only Basavanna Devaru that was in existence since the rise of Jagalur. Year by year it was this God that was taken in procession to the Banni tree. Then there existed no disturbance. This Basavanna is not supported by the Muzaroy Department. The villagers maintain it. In 1896 Messrs. Narasinga Rao and Naranappa, the then Amildar and Police Inspector of that Taluk, raised subscriptions throughot the Taluk. We alone contributed one thousand rupees. Ramadevaru temple was built. Meanwhile they were transferred. In 1898—99 the Amildar who was at Hiriyur and the Deputy Commissioner, Mr. M.S. Narayan Rao, came to Jagalur with the object of establishing the deity. We objected to this, anticipating future disturbances. They assured us that they would establish both Ishwara and Rama in the same temple, so that the Brahmins, the Lingayets and others might enjoy like privileges and they did it accordingly. Since then it was usual for the Ramotsawam to start at 4.30 p. m. and to return to the temple before 6-30 p. m. on the Vijaya Dasami day. We were also frequenting the temple. There was no disturbance of any kind. In May 1901 cholera raged all over committing great havoc. Then the Brahmins went in for Ramabhajana and we for Sivabhajana. The Brahmins, Nagoji Rao and others, raised an objection that our Bhajana party headed by the Ayya should not go in the Ramadevaru temple street. The then Amildar, Mr. Gopala Krishna Iyengar, failed to settle the dispute. That zid continued. On the day previous to Vijaya Dasami, the Brahmins had already arranged with the Sowcars and the Police to accompany their procession. On the Dasami day their procession started at 6 p. m. contrary to the mamool time, 4.30. p. m. We started at 7 p. m., our usual time. When the two Gods met Nagoji, the Police Inspector, and Vysiar Subbanna advanced towards us and directed that our trumpeters and the God should clear out of the

way and that after the Ramotsavam proceeded, we should wend our way. Pointing out to them, that their temple trumpeters were also Holayars and that the road was a high road, we asked them to proceed though one portion of the road allowing us to pass by the other. Then the Police and the Sowars were ordered to disperse us. The Sowars spurred their horses and charged us turning their lances. Nundi Dhwaja broke. The Sowcar hit the Dhwaja and broke his lance. Our Makara Thorana gave away. Basavanna was thrown down. We kept quiet as patel Sankappa requested us not to raise our hand against Government servants. If on the other hand we and the others assembled had only fought many would have been killed." This is what they say.

From what has transpired it is evident that the Lingayats have had the worst of it and the opposite party wantonly picked up the quarrel giving rise to so much mischief.

Reasons—The in-charge Amildar (Taluk Sirastadar) and the Police Inspector who had authority to take precautionery measures to prevent disturbances took the lead in one faction. These lost sight of their own duties. Be it as it may. To constitute an offence under Section 160. I. P. C., which party took the initiative is immaterial. The Inspector and the Sirastadar excepted, the aggressors on either side could well have been prosecuted under the said section. Otherwise each party could have been brought under Section 147 I. P. C. In the absence of these alternatives to conduct a case under Section 353 I. P. C., giving precedence to the Sowar's complaint, it cannot be said (1) that the Sowar had as a public servant a right to go there, much less on duty; (2) that the Amildar was justified in utilizing the services of the Sowars placed there to safe-guard the frontiers; (3) that the Sirastadar and the Inspector who in themselves had little right to side the Ramotsavam party, the source of this quarrel, had authority to summon the Sowars to accompany them. If at all conviction is secured, it would be creating in Jagalur powerful factions likely to commit breach of the peace. The Lingayat party being a very large one would fight its way to the Chief Court and would not but establish the truth of their cause. To avoid such unhappy consequences I made a report requesting the Deputy Commissioner or the Assistant Superintendent of Police to come

over to Jagalur and to enquire into the case themselves pointing out that the charge was not borne out by facts. If that had been adopted matters could have been squared up without giving room for this dispute. When none of the courses as detailed above has been adopted, does it stand to reason that I who have done so much in the case should conduct the prosecution? Granting that I do conduct the case, would the Lingayats omit to cite me and Amildar, Mr. Krishnasing, as defence witnesses?

Weighing all these inconveniences I personally represented my inability to my officer. He did not mind them. Written orders followed, as I was not inclined to give reasons unpalatable to my superiors. I advanced various reasons twice or thrice just to get the case off my hands. As peremptory orders were issued I had to submit the actual reasons. Would the people have any faith in me should I conduct the prosecution in a case in which I had assured them of impartial enquiry? Could any thing be made out of a Police Officer in whose assurance and honesty people have little confidence? I pray that this matter may be considered by the Superintendent who is long experienced in the Police line. For these reasons I did not attend the prosecution.

I quote below a copy of my report submitted from Jagalur in connection with this same procession case.

"JAGALUR, *5-11-1901.*

"Respected Sir,

"As directed I looked into the state of affairs here.

Procession Affair.—The Taluk Police have entertained the complaint of one of the parties and are investigating it. The following inferences are brought to light in the case :—

(1) The question of how the lance broke, when considered well, appears to favour the defence, details of which could better be represented personally.

(2) It is evident from the investigation record that the prosecuting party was in the aggressive. On the opposite side.—

(I) A distrust is entertained by the Lingayat community that their complaints are heard by nobody and that the opposite party is favoured even when heard.

(II) Their Nandi Dhwaja is broken. Makara Thorana is torn. Their God is to this day lying on the road.

III. As for the idols, both owe their existence to contributions from the people. Neither is helped by the Muzarei Department. Of these Basavanna owns a longer existence. Ramadevaru was set up three years ago from subscriptions raised from the people of this town and of the other villages in the Taluk. There was no complaint of the kind till the temple was built and gods established. Want of forethought and forbearance on the part of the local officers who gave predominance to one over the other, lead to all these troubles. It would be better if you yourself or the Deputy Commissioner were to inquire into the case viewing the two representations together. It is rumoured that the Amildar nominee of this Taulk would be here this evening. On his return I will consult with him, and not only submit my opinion but return to headquarters.

Answer to Query IV.

I quote below the order directing me to go to Basavanasivanakere and thou answer the present query :—

To

KRISNA RAO,
Headquarter Inspector.

"There is urgent business here. I desire you on receipt of this note to come without delay to my camp either at Basavanasivanakere or Byalahal just for a day's business.

(Signed) C. NARAIN RAO."

Another Order :—

Basavanasivanakere,
1—11—1901.

DEAR SIR,

"Just now I received your letter expressing your inability to come forthwith to Basavanasivanakere. I desire you to come to-morrow at least.

(Sd.) C. NARAIN RAO."

On the morning of the 8th November 1901, when I was about to start from Jagalur I re-received a chit from the Duffedar of Bastihalli stating that the officer required my presence at Byalahal. In reply to that alone I represented my inability to my officer from Jagalur. When I reached Bastihalli I received the above quoted first order. As I had already represented my difficulties I went to Chitaldroog on the 8th idem, proceeded to Basavanasivanakre on the 9th, saw my officer and in obedience to his orders attended to the business, stayingt hereabout till the 17th idem.

Answer to Query V.

As per orders of the 9th November 1901, I myself submitted the special diaries in the Basavanasivanakere culpable homicide case, remained thereabouts till the 11th of the month to collect evidence and then returned to Chitaldroog.

I beg to reproduce from memory the details of the case so far as I can well remember. On going over the same you will be convinced of my innocence.

Details of the Case.

Five years ago, 1. Kallaga, 2. Mooga, 3. his brother Lachama, 4. Basava, residents of Bellary and Royadroog in the Bellary District, Uppars by caste, came to Byalahal in the Chitaldroog Taluk to eke out a living by manufacturing salt and there they settled.

Their relationship.—The sister of the 1st is married to the 2nd whose sister is married to the 4th. The third has married from Chilangi village in the Chitaldroog Taluk. While these four lived upon their salt pans, one Dodda Era, the elder brother of the 4th brother-in-law, who married the elder sister, came to them about two years back from Bellary, put up with them for some time, and then opened a salt pan close to Basavanasivanakere separately. To cook for him he got his niece Eramma, aged 20, his brother Era's daughter. This Eramma is unmarried. She is the daughter of the elder sister of Basava, the 4th of the settlers named above. The first 4 settlers (Kallaga, Mooga, Lachama and Basava) are put up in separate houses built close to their salt pans near Byalahal. Dodda Era was living in a house built close to his salt pan near Basavanasivanakere. It may be about half a mile between these two settlements. Now for the details of the cases under sections 397 and 304 I. P. C.

On the night of the 20th October 1901, the house of Kallaga situated close to Byalahal was dacoited. Kallaga was at Bellary then. His mother and his wife were the only two that were then in the house. When the robbers were committing the dacoity, Mooga, Kallaga's brother-in-law, ran to Byalahal, informed the Patel of the occurrence, and forthwith returned to the scene with the Patel and a number of villagers. But the robbers had gone away by that time. Finding how matters stood, the Patel reported to the Bastihalli

Police Station that robbers broke into Kallaga's house and plundered it. On the morning of the 21st idem the Daffedar of Bastihalli went with the Patel of Byalahal to the scene of occurrence and enquired Kallaga's mother and his wife. They said that the persons who committed the offence were no other than their relatives, Dodda Era and other residents of Kabbigere and the neighbouring villages, and that they had recognised them clearly at the time. This was first reported to be theft and subsequently changed to an offence under section 397 I. P. C. On the 22nd idem, the Inspector, the Amildar and the Assistant Superintendent went in succession to the scene of crime and got arrested the 6 persons mentioned in the special diaries as having committed the offence. Dodda Era and his niece Eri as well as two others were detained as being under Police surveillance. The Amildar Magistrate remanded the arrested persons and returned to Chitaldroog; and the Assistant Superintendent proceeded to Jagalur to enquire into the Dasara procession disturbance. Inspector Venkatappa took both the arrested and the detained to Vijapur, four miles from the scene of occurrence, and halted there.

It was only after that that the offence under section 304, I. P. C., was reported. I shall now relate about the present case so far as I can remember.

Details of the case under Section. 304, I. P. C. are: Uppar Dodda Era who was under Police surveillance, confessed his crime and said that he hid his share of the property, viz., Rs. 30 in a garden near Basavanasivanakere. On the evening of the 25th idem the Inspector sent Dodda Era in charge of Daffedar, Sheik Abdulla, of Bastihalli Station to Basavanasivanakere instructing the Daffedar to recover the stolen property regularly. Dodda Era who was in charge of the Daffedar Sheik Abdulla on the night of the 25th and who escaped from him on the 26th was reported to have died by hanging to a tree in the very garden which he had said, contained his property. This was the first information report. On this report Police Inspector Venkatappa held the inquest proceedings under Section 174 C. P. C. over the body and after recording that Dodda Era and had committed suicide being sensitive to honour unable to put up with the shame of being a criminal amidst his caste men, sent up the body for post mortem examination. In the

meantime the Amildar went to the spot, saw the corpse, examined Eramma who was in Police custody and Sanna Era, brother of the deceased, who had come there just then and reported to the Assistant Superintendent that the deceased was not a victim to suicide but to murder. I have not seen the report till now but have heard of it.

Post mortem result.—It was certified that Dodda Era's death was due to violence and the body had been purposely hung up to a tree after death. I myself wrote to the Superintendent about this when he was out on circuit.

After so much mischief, one day, I sent for the circuit clerk, Ramachandrayya, and requested him to inform the officer of the following facts on my behalf:—

The original offence of daccity was committed with the aid of torches. The offence is of a serious nature, and that too the neighbouring villagers are said to have committed the offence. In a case of this kind the truth, can be discovered only by the local officer and by no others. The Inspector is new to this place and he has no local knowledge. None can get to the bottom of this affair so well as the Amildar who was influential in all matters in the Taluk. Others would not be able to learn the truth as he can. The accused were arrested in haste. Had the villagers committed the offence, they must have first met and plotted. Be that as it may. Let bygones be bygones. In future at least, the Amildar must either as head of the Police or under Section 176 Cr. P. C., enquire into the case of Dodda Era's death. Now at least a definite order must be issued to the Amildar.

The clerk wrote to me to Jagalur to say that he had done so.

On 2-11-01, the Amildar took up the case of Dodda Era on the Police file under Section 304 I. P. C. and proceeded with the investigation by examining the very persons whom the Police had at first enquired and submitted special diaries to the effect that Dodda Era committed suicide unable to put up with the shame. The Amildar then went away to Bangalore to attend the Mysore Text Book Committee. Then the Deputy Commissioner ordered the Assistant Superintendent to enquire into the case himself. It was only after doing all this that the Assistant Superintendent ordered me to go over to the spot for a

day. On 9—11—01 all went and saw the Superintendent at Basavanasivanakere where he had encamped. He then informed me that the details of the case had to be reported to I. G. of Police and that I should take up the the records made by him till then and submit special diaries regarding the matter enquired into by the Police Assistant Superintendent on the two previous days. I met the latter who was on his way from Basavanasivanakere to Vijapur. He ordered me to stay there for a day or two and to enquire the facts, and went away leaving Daffedar Durgappa to work under me. Besides writing and submitting the special diary I sent a foot report to my officer summing up all the evidence available till then. On the 12th the Assistant Superintendent came to Basavanasivanakere where I was with my report and conferred with me on the merits and demerits of the case. I then placed before him these facts:

1. In the case under Section 397 I. P. C., when the Patel went to the spot first, the complainants did not give out the names of the accused. It was only disclosed a day after. It is not sufficiently grounded to assert positively that these alone committed the offence.

2. From the records made till now in the investigation of the case, it may be inferred that Daffedar Abdulla, complainant's brother-in-law, Mooga, and Basava, the latter's brother-in-law, were the cause of Era's death. But the Daffedar put forth his defence in the very record referred to. If he were to be let out, Mooga and Basava have to come in. But these are the complainants. At the trial Kallaga and Eramma, the deceased's niece, will appear as witnesses favourable to these.

3. Now that the matters are passive, the actual facts are to be elicited. If Inspector Narasimha Sastry and Daffedar Durgappa who are trustworthy and who have a thorough local knowledge are appointed they could arrive at the truth by somehow getting into the confidence of the complainants. If it is rumoured that we have given up the case and returned, there is a probability of the truth coming out. To this, the officer consented. But fearing a repetition of the past blunder, he pointed out the advisibility of some body watching the progress of the case, and said that he would return to Droog and that I should stop at Vijapur and intimate to him such evidence as might come to my knowledge

that he might come to Vijapur for enquiry, to which I said that the Molakalmuru cases of "attempt to murder" would be heard on the 20th idem and that I would stay hereabout till then. I had told him about these cases before. He said that I might do so. On the 14th idem I went from Basavanasivanakere to Vijapur. That day the Deputy Commissioner and the Police Assistant visited the scene of occurrence and returned. Inspector Narasimha Sastry who had accompanied them stayed behind.

4. I informed the Inspector and the Daffedar all that had taken place till then and instructed them as to their future conduct in the cases, got them Rs. 10 from the secret service and sent them. As I could gather no favourable information at Vijapur till the 17th idem I returned to Chitaldroog on the same date, intimating Inspector Narasimha Sastry who was at the case that I would go to Chitaldroog with a view to attend to my work there and return.

After all this had transpired an order was received on the 19th idem, that the case should be investigated by myself. I then wrote to Inspector Narasimha Sastry to inform me if he had collected any evidence. In the absence of which I said I would come over after getting through the business here. I was awaiting the reply.

On the 22nd idem I received an order which savoured of relieving me from all work, directing me to hand over the prosecution records to the Jamadar, to return all the orders written to me ever since Mr. C. Narayan Rao assumed charge of this District and to transfer the records of the above cases to Inspecter Narasimha Sastry. I obeyed and was silent. In the order received a day or two after I was directed to take over the prosecution records myself and conduct the prosecution, and in the absence of which to attend to the school. I did accordingly.

Reply to Query VI.

From a long time it is usual to draw upon the school whenever there is an emergency. I too did so I invite your reference to precedents. This is the first time that I took. I have little to add.

I would now beg of the Deputy Commissioner and Mr. B. K. Venkatavarada Iyengar, the I. G. of Police, under whom I have served and prospered to consider my case justly.

Ever since the organisation of the Police in the Mysore Province, I have served the department as an officer. I pray you to decide on the facts detailed above whether I have disobeyed the order of my superiors and whether I have acted contrary to justice.

My discussion of cases has no object other than that of my officer under whom I serve, should not get a bad name and our procedure should be acceptable both to Government and to the subjects. From the time I was posted here as Headquarter Inspector, I have often differed from my superiors in important cases and the discussions thereof have been construed well and the mistakes rectified.

I consider that since the 10th October 1901 when my master, Mr. C. Narayan Rao, took charge of the District my line of conduct was not to his taste. This resulted in the kind issue of painful orders. Apart from the cases in question, I differed in the Holalkere Gilkenhalli house-breaking case. On account of this

1. No subordinate would obey my order.
2. I am put to prosecution and school work.
3. My diary book was forced away from me and retained by the Superintendent.
4. I was debarred from corresponding with any officer on any matter.
5. I was widely rumoured throughout the District that my officer was against me.

On account of these inconveniences I begged the Deputy Commissioner to define my work so that I might not be troubled like this any more during the short 11 months at the tail end of my service. If that had been done I should have had no cause for incurring the displeasure of my officer. I should have simply attended to prosecution. I can hardly give tongue to my later misfortune. In short I am helpless and placed in very low circumstances. I implore for justice firstly the Almighty and secondly Mr. B. K. Venkatavaradiengar, the Inspector-General, under whom I have served and in whose impartiality I have confidence. When this is being considered I beg that my report dated 12—11—01 made in connection with the case under Section 304 I. P. C. may be kindly referred to.

These are very hard days for me. I pray that the mistakes I may have committed by oversight in the above explanation given under such trying circumstances may kindly be pardoned.

(Sd). C. KRISHNA RAO.'

Headquarter Inspector.

From

B. K. Venkatavaradaiyangar Esq.,
Offg. Inspector-General of Police
in Mysore.

To

M. Narayana Rao Esq.,
Deputy Commissioner
of the Chitaldroog District.

No. 709, Dated 4th April 1902.

Enclosure file of Records.

His memo of the 3rd April 1902 forwarding in reply to this office docket No. 209 of the 14th December 1901, the explanation of Headquarter Inspector, Krishna Rao, on the several charges of insubordination, &c., preferred against him by the Assistant Superintendent of Police of his District.

After perusing the record of enquiry sent with the above and hearing the Headquarter Inspector, the undersigned expresses his regret that an old officer of long standing in the department like Mr. Krishna Rao should not have known better to conduct himself towards his official superior. As owing to the very fact he lost the Amildary that the Government had been pleased to confer on him, the undersigned thinks that no further notice is called for. It is hoped that Mr. Krishna Rao will by his future conduct, regain his lost character.

2. As the Depty Commissioner thinks that Mr. Krishna Rao has been "useless" as Headquarter Inspector and does not consider him fitted for that appointment he may be put in charge of the Chitaldroog Taluq Police and the Inspector of that Taluq (Sree Narasimha Sastry) put in charge of the Head Quarter Inspector's duties.

3. All the enclosures of the memo under reply are herewith returned.

(Sd.) B. K. VENKATAVARADIYENGAR,
Offg. Inspector-General of Police.

Copy.

(Sd.) C. NARAYANA RAO,
Assistant Superintendent of Police.

To

THE DEPUTY COMMISSIONER,

CHITALDROOG DISTRICT.

MOST HONOURED SIR,

I beg leave to submit you that in consideration of the following facts and records herewith submitted, my case may be kindly reconsidered, taking, if necessary, the opinion of the Assistant Superintendent of Police, that I might without trouble serve the Government for the short period required to complete my services, with my duties as Headquarter Inspector of Police fixed, to enable me to discharge them without trouble to myself and without giving room for misconception to my superiors.

From the order "A" granted by the Assistant Superintendent of Police, it is not clear to me what work I should do. If directed I shall produce facts connected with the Basavanasivanakere case under Sec. 304, I. P. C., which is the cause of the Superintendent's wrath against me. I pray you to decide my case after considering the facts connected therewith.

As regards my position and circumstances, I complete my 54th year of age on 24th November 1902. I have put in till now a service of 32 years, for 28 of which I have been an Inspector. I passed all the Local Service Tests to do which I had to pay in aggregate a fee of Rs. 75. I have served my masters from the beginning without the least covetousness and with the utmost regard for the interests of both the Government and the people. I have till now acted as Amildar on 5 different occasions. If the rules framed by the late Sir K. Seshadri Iyer were in force and if the life of His Highness the late Maharajah had been spared for a few years longer, I should have been appointed an Amildar as early as 1895. But misfortunes multiplied and if I now recount the injustice done me, it is because I feel I was wrong in having remained in service. Being a prey to such conflicting ideas of mine I applied for a year's furlough in 1897 when Mr. V. P. Madhva Rao, C. I. E., and Mr. C. Madiah, B. A., pacified me and promised to send me as Headquarter Inspector of Police to the District of Hassan on Rs. 130 *plus* Rs. 20. But as Mr. M. S. Narayana Rao was then the Deputy Commissioner of this District, I recalled to mind the acquaintance I had of him when he was the English clerk and I the Acting Nazir in the Court of Mr. Amir Pacha of old, and requested a transfer to this District from Hassan with a desire that I might complete the remaining portion of my service working peacefully under him. Accordingly I was sent here, and a few days after I was confirmed in Rs. 100 *plus* Rs. 15.

As ill-luck would have it, I now find, I came to this District only to add to my misfortune. I feel convinced that owing to my misfortune I can hope for no promotions, and I tried many a time, as also now, to retire notwithstanding the non-completion of my service, and to live honourably by doing some work in any of the mercantile firms to meet my requirements. But an untoward circumstance always prevented me from so doing. In this troubled condition and with a distracted mind I feel I am growing mad, not knowing what I should do.

To complete my service I am required to be on duty for one year more. In this tail end of the service I have no inclination to retire prematurely. Being fairly advanced in age I cannot stand much worry nor can I do much brain work. I am however anxious to see that my past services do not go in vain. My humble request to you is, therefore, to allow me to work in my appointment as Headquarter Inspector or in any similar capacity without being sent to work as Taluk Inspector the worry of which post I cannot possibly stand. If I be denied this concession—for I do not regard it as a claim—I beg to hereby tender my resignation, and request you to have me in service till such time as my pension is sanctioned on acceptance of my resignation by the Inspector-General of Police. I have served Mr. B. K. Venkatavaradiengar on three different occasions and when he was here last I explained to him my circumstances. He was kind enough to greatly pity me, but nothing came out of it, due apparently to my never-ending misfortune.

I beg leave to remain, Most Honoured Sir,
Your most obedient and humble servant,

24 — 11 — 1901

Head Inspector's

[illegible]

Police

Incharge of the Chit[illegible]

Taluk

infected area

Le premier le marcq

GOVERNMENT OF INDIA

Inspector

GOVERNMENT OF INDIA

SECTION Police

FILE No. 5647

SERIAL No. 2

No. 2857 Eld

J265

(2) 4

MYSORE DEWAN'S OFFICE.

JUDICIAL DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 547

dated 23rd August 1902 received at the

Dewan's Office from C. Krishna Ra

Head Quarter Inspector

Chitaldrug Dt. Complai

that he was not given

an Amildari though he

was recommended for it

is forwarded, together with its

enclosures, to the Inspector Gen

of Police in Mysore

for a full report

about the Petitioner.

Dewan's order

By order,

for Secretary.

BANGALORE,

The 28/8/1902 27/8/02

1902- 1903

Regd. No. 3415
26 SEP. 1902
No: J367

Office of the

Inspector General of Police in Mysore,

Dated Bangalore-24th September 1902.

Enc: returned file of records

SECTION 215 Police
FILE No. 5 of 02
SERIAL No. 3

From

C. Madiah Esquire,

Inspector General of Police

in Mysore

To

H.V.Nanjundayya Esquire,M.A.M.L.

Secretary to the Government of Mysore

in the General and Revenue Departments

Sir,

With reference to your official Memorandum No. 2857 J265 of the 28th ultimo calling for a full report about Head Quarter Inspector C.Krishna Rao of the Chitaldroog District, I have the honor to submit a memo shewing the circumstances connected with his case . It appears to me that he has taken leave without pay on account of his transfer from the District Police Office to be in charge of the Chitaldrug Taluq . In his printed petition dated 24th November 1901 addressed to the Deputy Commissioner and filed with the records , he clearly states that he may be allowed to continue " as Head Quarter Inspector or in any similar capacity, without being sent to work as Taluq Inspector , the worry of which post he cannot possibly stand",

owing evidently to his " being advanced in age" which incapacitates him to "do much brain work" . Inspector Kristna Rao is according to his own admission 54 years of age, and has put in 32 years of service, but does not seem inclined to sever his connection with it by retiring on pension, having completed 30 years service as required by the rules . Since he has not completed the 55th year of his age ,. it is out of question to compulsorily retire him . As regards his capability to fill an Amildars post with credit , I must confess that I am unable to venture any opinion , as it is some years since I have had any experience of his work , but this much may be said , viz, that by his own statement above referred to he stands self condemned .

I would however, give him a trial by transferring him to Tumkur in his present capacity , and if he is unwilling to join that District , or if after joining it, he fails to give satisfaction , the only course left is to reduce him, if he does not choose to retire . Under these circumstances he cannot, in my humble opinion, expect a more lenient treatment .

I have the honor to be

Sir

your most obedient servant

Inspector General of Police.

Memo

Head Quarter Inspector C. Krishna Rao of the Chitaldroog District was entertained on the 15th June 1869 as Municipal Mutsaddi in the Chitaldroog District and on the 16th November 1873 appointed as 1st grade Jamadar. He was promoted to the grade of Dub Inspector on 1st June 1876, and appointed 4th grade Inspector on Rs 40+15 on 1st June 1885. When he was Inspector of the Malur Taluq his services were brought to the notice of this office as being an honest and hardworking Police Officer. He was then selected for the post of Head Quarter School Inspector and transferred to Bangalore on pay Rs 60+15 on 1st January 1888. He did good work. In 1892, he was deputed on frontier duty on the borders of Chitaldrug District which was threatened with inroads by dacoits. He did excellent work on this occasion

in keeping a vigilant watch over the movements of bad characters and to curtail depredations, and in closely pursuing the Criminal gangs on the borders, and ultimately succeeded in driving them out of the Province finding that his services would be useful in the executive work, he was sent as Inspector of the Allyoor Taluk on pay Rs 70+15 on 1st February 1893, where the services of an experienced Inspector were required. He was promoted to the 1st grade of Inspectors on 1st December 1894. He continued to do useful work there also. As a mark of appreciation of the services rendered by him in the Allyoor Taluq he was appointed Head Quarter Inspector and transferred to the Chitaldroog District in which post he still continues.

He having completed the Course of Study prescribed for Amildars in 1891

his name being included in the list of Candidates eligible for promotion to the grade of Amildar or Deputy Amildar was Submitted to Government Inspector C. Krishna Rao's memorial representing his claims for Amildari was Submitted to Government by Deputy Commissioner with the then Police Inspector General's following remarks:

"The undersigned is aware of the good Services "done by the Inspector and his meany "claims to Amildari; and he has no "objection to the memorial being forwarded "if allowed by the rules". In this office

Not traceable. letter No $\frac{5335}{350}$ of the 13th April 1896 a special recommendation on behalf of Inspector C. Krishna Rao for promotion to Amildar was Submitted to the Secretary to the Government. The Government was

* not traceable reminded in this office No $\frac{1478}{172}$ of the 6th November 1896, and requested that in filling up the vacancy in

the

the Amildari grade, the claim of the Inspector Specially recommended in the above might be taken into consideration. Again in this office letter No $\frac{3299}{2us}$ of the 16th January 1902 * put up the Claims of the said Inspector for promotion to Amildari grade was brought to the notice of Government in reply to a D.O. communication of the 12th December 1901 from the Secretary to Government he was appointed to act on previous occasions as Amildar of Chanjanad for one month, Gundlupet for 2 months, Kolalkere for 2 months, Molakalmuru for 2 months and 16 days. He was in Notification No 2694 of 18th * copy put December 1901, appointed to act as Amildar of the Molakalmuru taluk until further orders vice K. Shama Rao deceased. This Government do not take

take effect as observed by the Officiating Inspector General of Police in Circular No 709 dated 4th April 1902. The Deputy Commissioner Chitaldrug brought to notice the disobedient Conduct of the Head Quarter Inspector Tonnando his Assistant Superintendent of Police in Connection with the Cases he was ordered to investigate on make enquiries and recommended his retirement from Service. On the perusal of this, orders were passed by this office to the effect that if the Inspector was anxious to retire he might do so provided he had put in 30 years Service, or was declared unfit for Service, but if it was not possible to retire him, the Deputy Commissioner might Suspend him, take his explanation and pass such orders as he might think proper. This was Communicated

to

to the Deputy-Commissioner in this
office No 209 of the 13th December 1902.
In his memo of the 8th April 1902
the Deputy-Commissioner after making
an enquiry into the Inspector's conduct
and taking his explanation and
obtaining the opinion of the Assistant
Superintendent of Police in the matter,
reported that if it was possible to
retain the Inspector, it might be done,
if not, he might be put in charge
of the District Police School to enable
him to complete the 55th year of his
age when he being only 54 years old, and
then retired. On the receipt of this
report from the Deputy Commissioner
he was requested in this office
Circular No 709 of the 4th April 1902
to put Inspector Krishna Rao
in charge of the Chitaldrug Taluk,
the Inspector of the Taluk, Narasimha
Reddy taking his place in

the

the District Police office to do the work of the Head Quarter Inspector. On the Communication of orders passed by this office, the Inspector applied for 3 months' leave without pay. The Deputy Commissioner was informed in this office No. $\frac{4826}{218}$ dated 30. 4. 1902 that it would be a pity to deprive the Inspector of his claim to privilege leave and requested that the Inspector might be told to wait till the return of Inspector Narasimha Sastry from special duty. The Inspector having again repeated his application on the ground of ill health, one months privilege leave ah his credit was granted in this office docket No $\frac{5741}{242}$ of the 3rd June 1902. The Inspector again represented that one months leave sanctioned

to

to him was not sufficient to settle his affairs and that 3 months' leave without pay might be granted. On the recommendation of the Deputy Commissioner 3 months' leave without pay was sanctioned in this office docket no $\frac{5922}{273}$ of the 25th June 1902. It was extended by 3 months at his request.

Inspector General of Police.

RC

SECTION D Secr.

FILE No. 56-02

SERIAL No. 14

Read.

(4) 15

Petition Regd No 547 dated 23rd August 1902, from B. Krishna Rao, Head Quarter Police Inspector of the Chitaldrug District Complaining that he has been unjustly ordered to be in charge of a Salute on the ground of his alleged unfitness for the post of Head Quarter Inspector and that he was not given an Auildaire though he was recommended for it.

(2) Letter No 3415/367 dated 24th September 1902 from the Inspector General of Police, Submitting a detailed Memo Showing the circumstances Connected with his case, and ~~according~~ stating that he would give the Head Quarter Inspector a trial by transferring him to Tumkur in his present capacity and that

if he is unwilling to join that District or if after joining if he fails to give satisfaction, the only course left is to reduce him, if he does not choose to retire.

6335 & 25/10/02
J 5740 Record.

Order thereon:—

The proposal of the Inspector General to transfer Krishna Rao to Tumkur as Head Inspector, is approved with the remark that the memo referred to in the above letter shows that Lilla Krishna Rao was found fault with for disobedience in obtaining he bore an excellent character and was often recommended for preferment.

7953
Mind
23.X.02

Secretary 25/10

To

The Inspector General of Police in Mysore returning enclosure.